

EXHIBIT 4

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

PERFORMANCE PRICING, INC.,

Plaintiff,

vs.

GOOGLE, INC. et al.,

Defendants.

CASE NO. 2:07-CV-432 (LED)

Jury Trial Demanded

Notice of Deposition of Michelle Lee

PLEASE TAKE NOTICE that pursuant to Rule 30 of the Federal Rules of Civil Procedure, counsel for Performance Pricing, Inc. ("Performance Pricing") will take the deposition of Michelle Lee. The deposition will occur on October 27, 2009, at 9:00 a.m. at a location to be determined in Palo Alto, CA. Should the deposition not be completed on that day, the deposition shall be concluded on a later date to be agreed upon by the parties.

The deposition will be recorded stenographically by a deposition officer, as specified in Rule 28(a) of the Federal Rules of Civil Procedure.

FURTHER NOTICE is hereby given that Plaintiff intends to videotape and audiotape the above deposition pursuant to Rule 30(b)(2), (3), and (4) of the Federal Rules of Civil Procedure.

Dated: October 5, 2009

Respectfully submitted,

By: /s/ Christin Cho

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ATTORNEYS FOR PLAINTIFF
PERFORMANCE PRICING, INC.

CERTIFICATE OF SERVICE

This is to certify that a true and correct copy of the above and foregoing document was served, via E-mail, on counsel for Defendants this 5th day of October, 2009.

/s/ Christin Cho _____
Christin Cho